

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TIVO INC.,

Plaintiff,

vs.

CISCO SYSTEMS, INC., TIME WARNER  
CABLE INC., and TIME WARNER CABLE  
LLC,

Defendants.

Case No. 2:12-cv-311-JRG  
(and consolidated Case No. 2:12-cv-434-JRG)

JURY TRIAL DEMANDED

**ORDER ON STIPULATION AND JOINT MOTION TO DISMISS PURSUANT TO  
RULE 41 OF THE FEDERAL RULES OF CIVIL PROCEDURE**

The Court has considered the Stipulation and Joint Motion To Dismiss Pursuant to Rule 41 of the Federal Rules of Civil Procedure and agreements of the parties filed by Plaintiff TiVo Inc. ("TiVo") and Defendants Cisco Systems, Inc. ("Cisco"), Time Warner Cable Inc., and Time Warner Cable LLC (collectively, "Time Warner Cable"), (collectively the "Parties"). The motion is hereby GRANTED.

Accordingly, it is ORDERED that the entire action is dismissed in accordance with Rule 41 of the Federal Rules of Civil Procedure and the Parties' Stipulation, as follows:


1. All claims and counterclaims TiVo asserted against Cisco in the above-captioned action are dismissed with prejudice in their entirety;
2. All claims and counterclaims Cisco asserted against TiVo in the above-captioned action are dismissed with prejudice in their entirety, except that all Cisco claims and counterclaims asserting invalidity of TiVo's U.S. Patent No. 6,233,389 ("the

'389 patent"), U.S. Patent No. 7,529,465 ("the '465 patent"), U.S. Patent No. 7,493,015 ("the '015 patent"), and U.S. Patent No. 6,792,195 ("the '195 patent") are dismissed without prejudice.

3. All claims and counterclaims that TiVo asserted against Time Warner Cable in the above-captioned action are dismissed without prejudice in their entirety; and
4. The Parties shall each bear their own costs and attorney's fees in this action.

**So Ordered and Signed on this**

**Jul 25, 2013**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE